

AG Contract No. KR95 1902TRN  
ADOT ECS File No. JPA 95-144  
Project: 95M0238 HX037 01C  
Section: SR-95 @ Camp Mohave Rd.

**INTERGOVERNMENTAL AGREEMENT**  
BETWEEN  
THE STATE OF ARIZONA  
AND  
MOHAVE COUNTY, ARIZONA

THIS AGREEMENT is entered into 5 October, 1995,  
pursuant to Arizona Revised Statutes, Sections 11-951 through  
11-954, as amended, between the STATE OF ARIZONA, acting by and  
through its DEPARTMENT OF TRANSPORTATION (the "State") and  
MOHAVE COUNTY, ARIZONA, acting by and through its BOARD OF  
SUPERVISORS (the "County").

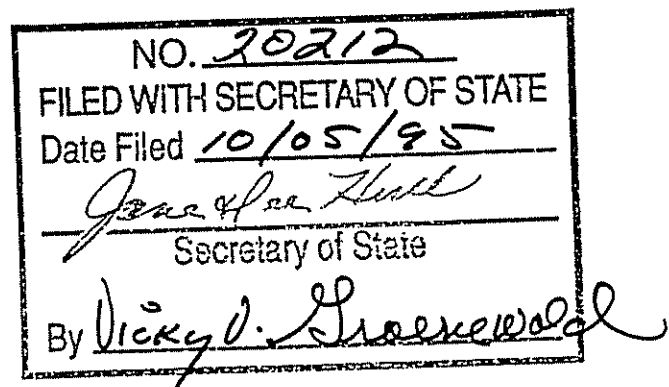
**I. RECITALS**

1. The State is empowered by Arizona Revised Statutes  
Section 28-108 to enter into this agreement and has by  
resolution, a copy of which is attached hereto and made a part  
hereof, resolved to enter into this agreement and has delegated  
to the undersigned the authority to execute this agreement on  
behalf of the State.

2. The County is empowered by Arizona Revised Statutes  
Section 11-251 to enter into this agreement and has by  
resolution, a copy of which is attached hereto and made a part  
hereof, resolved to enter into this agreement and has  
authorized the undersigned to execute this agreement on behalf  
of the County.

3. The State and the County desire to participate in the  
design, construction, operation and maintenance of a warranted  
traffic signal at the intersection of SR-95 and Camp Mohave,  
south of Bullhead City, for the safety and benefit of the  
motoring public.

THEREFORE, in consideration of the mutual agreements expressed  
herein, it is agreed as follows:



## II. SCOPE OF WORK

### 1. The State will:

Design to state standards a temporary span wire traffic signal. Construct the temporary signal with its own forces and provide maintenance.

### 2. The County will:

a. Upon completion by the State, provide electrical energy to operate the signal.

b. At such time as a permanent signal is constructed, participate with the State in a 50/50 cost-sharing agreement and provide electric energy to operate the signal.

## III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until completion of said signal; provided, however, that this agreement, except any provisions herein for maintenance and electrical energy, which shall be perpetual, may be cancelled at any time prior to the award of a construction contract, upon thirty (30) days written notice to the other party.

2. This agreement shall become effective upon filing with the Secretary of State.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518.

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation  
Joint Project Administration  
205 South 17 Avenue, Mail Drop 616E  
Phoenix, AZ 85007

Mohave County  
County Manager  
PO Box 7000  
Kingman, AZ 86401

7. Attached hereto and incorporated herein is the written determination of each party's legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

MOHAVE COUNTY, ARIZONA

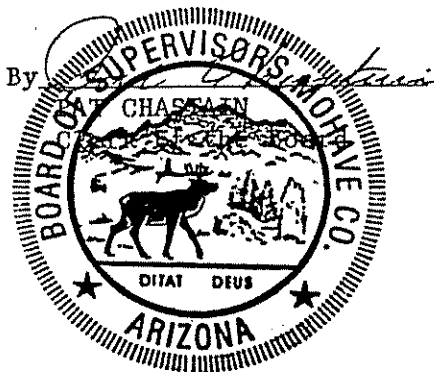
STATE OF ARIZONA

Department of Transportation

By *Pat Holt*  
PAT HOLT, Chairman  
Board of Supervisors

By *Peter L. Eno*  
PETER L. ENO  
Contract Administrator

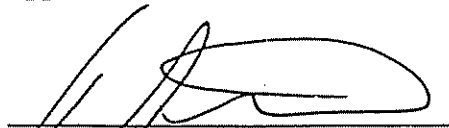
ATTEST



RESOLUTION

BE IT RESOLVED on this 14th day of August 1995, that I, the undersigned LARRY S. BONINE, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Highways Division, to enter into an agreement with Mohave County for the purpose of defining responsibilities for the design, construction and maintenance of a warranted traffic signal at the intersection of SR-95 and Camp Mohave.

Therefore, authorization is hereby granted to draft said agreements which, upon completion, shall be submitted to the State Traffic Engineer for approval and execution.



for LARRY S. BONINE  
Director

RESOLUTION No. 95- 388

WHEREAS, the Board of Supervisors of Mohave County met in Special Session this 18th day of September, 1995, and

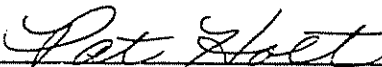
WHEREAS, the Mohave County Board of Supervisors determined that it would be in the best interest of Mohave County to enter into an Intergovernmental Agreement with the Arizona Department of Transportation to install a traffic control signal at the intersection of Camp Mohave Road and State Route 95 south of Bullhead City, and

WHEREAS, ARS 11-952 empowers the Board of Supervisors of Mohave County to enter into agreements.

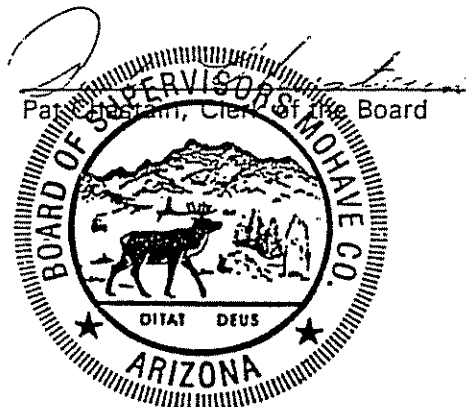
THEREFORE BE IT RESOLVED, the Chairman of the Mohave County Board of Supervisors is hereby authorized to execute the Intergovernmental Agreement and any amendments and/or modifications thereto on behalf of Mohave County.

PASSED, APPROVED AND ADOPTED this 18th day of September, 1995.

MOHAVE COUNTY BOARD OF SUPERVISORS

  
\_\_\_\_\_  
Pat Holt, Chairman

ATTEST:



JPA 95-144

APPROVAL OF THE MOHAVE COUNTY ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION, and MOHAVE COUNTY and declare this agreement to be in proper form and within the powers and authority granted to the County under the laws of the State of Arizona.

DATED this 31<sup>ST</sup> day of August, 1995.

  
Deputy  
County Attorney



STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

1275 WEST WASHINGTON, PHOENIX 85007-2926

GRANT WOODS  
ATTORNEY GENERAL

MAIN PHONE : 542-5025  
TELECOPIER : 542-4085

INTERGOVERNMENTAL AGREEMENT  
DETERMINATION

A. G. Contract No. KR95-1902-TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. §11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 29th day of September, 1995.

GRANT WOODS  
Attorney General

A handwritten signature in dark ink, appearing to read "James R. Redpath", is written over a horizontal line.

JAMES R. REDPATH  
Assistant Attorney General  
Transportation Section

JRR:lsr  
8957G/13